

**Region 1**Hot Topics**Region 1 Settles TSCA Action against Bath Iron Works, Brunswick, ME**

On January 10, R1 filed a consent agreement and final order (CAFO) resolving TSCA violations at the Bath Iron Works Corporation (BIW) facility located in Brunswick, ME. The CAFO alleges BIW violated notice and manifesting regulations for PCB waste that BIW disposed of at a landfill that was not authorized to accept waste containing PCBs in concentrations greater than or equal to 50 parts per million. The company has agreed to pay a \$22,479 penalty to resolve this matter and certifies that it is now operating in compliance with TSCA.

**Drinking Water Research Symposium on Groundwater**

On January 14, R1 co-hosted the Symposium on Groundwater Research for Drinking Water Professionals with USGS and the University of Massachusetts School of Earth and Sustainability in Amherst, MA. The symposium brought together over 50 groundwater-focused professionals working in drinking water supply and water management for a one-day event focused on New England aquifers.

**Former Waterbury Clock, Waterbury, CT**

On January 16, R1 informed the City of Waterbury of its decision of no action for cleanup at the former Waterbury Clock site. EPA completed the preliminary assessment/site investigation (PA/SI) at this former site, which manufactured clocks illuminated with radium paint. Based on the results of the PA/SI, EPA has determined that the levels of radium within the facility are fairly localized, imbedded within the building structure, and do not pose a public health threat.

**Region 1 Completes Cleanup at Stenton Mills Site**

On January 9, the removal action at the Stenton Trust Mills site in Sanford, ME, was completed. This allows the City of Sanford to utilize new EPA funding to evaluate redevelopment opportunities for the site.

**Brownfields Committee Meeting in Vermont Opportunity Zone**

On January 16, R1 attended the Northwest Planning Commission Brownfields Committee meeting in St. Albans, VT (downtown is within an Opportunity Zone). Topics on the agenda included Revolving Loan Fund Program Management and updates on assessment projects.

**PFAS at Pease Air Force Base in New Hampshire**

Last week, Air Force took the "Site 8" PFAS groundwater treatment system offline for modifications to improve metals treatment and make the system more efficient. Air Force expects to bring the system back online in early April. A second "AIMS" PFAS treatment system remains operational. To date, both systems together have treated almost 160 million gallons.

**Region 1 Co-Hosts Cyanobacteria Conference**

On January 16, the R1 laboratory and the University of New Hampshire co-hosted a conference as part of the Cyanobacteria Monitoring Collaborative. Conference sessions included 10-minute lightning talks, a hands-on microscope workshop in cyanobacteria identification and enumeration, and a discussion planning forum on major HAB issues and monitoring strategies. Over 80 people attended the event, and many others participated remotely from across the country and Canada.

Upcoming Major Decisions and Events

Nothing to report.

## Region 2

### Hot Topics

#### **Puerto Rico Earthquake**

PR continues to experience numerous smaller quakes, typically 15-25 per day. There is great fear of another larger quake. Many residents whose homes are undamaged choose to sleep outdoors. 4,471 residents are living in shelters. Power is back to over 99% of customers, but one major power plant will be out of service for as long as a year. The grid is fragile with a high likelihood of repeated blackouts or brownouts in parts of the island. PREPA has requested No-Action Assurances with respect to CAA requirements at several facilities. PRASA reports over 99% of customers have water service. The remainder are receiving water by truck or OASIS unit. EPA received a Mission Assignment (MA) to conduct hazardous substance and oil assessments in coordination with DNER. R2 deployed two assessment teams to PR. On-site facility assessments began January 15. Frequent additional quakes may require repeated reassessment of many facilities. EPA awaits a FEMA MA to support deployment of teams to assess non-PRASA drinking water systems and facilitate PRASA damage assessment. FEMA will only support this as a "direct federal assistance" MA. EPA is working with PRDOH and PREMA to initiate the request. The cost share requirement is difficult for PR given its economic condition. Meanwhile, R2 has been conducting assessments with non-PRASA systems by telephone and with PR and NGO assistance.

#### **Limetree Bay PAL Permit**

The public comment period closed on November 25, 2019. We received about 250 comments from 122 commenters (including 115 comments from Limetree). NGOs commenting included St. Croix Environmental Association, Center for Biological Diversity, and Sierra Club. They offered extensive discussions on reactivation policy issues, baseline calculations, environmental justice concerns, etc. Of all comments received during the hearing and comment period, a total of 25 commenters support the PAL permit. The remaining comments from the public are generally health impact-related, with a request to deny the permit. Given the number of comments and the need for consultation with OAR and OGC, it is unlikely we will be able to complete the response to comments document and issue the final permit by January 31 as previously projected.

#### **Coal Combustion Residuals (CCR)**

Last week, AES Puerto Rico extended the public comment period for their "Corrective Measures Assessment" (CMA) to January 28, from the original date of January 13. R2 staff have reviewed the CMA to determine if it meets all regulatory requirements for a remedy assessment. The letter transmitting our findings to AES is being reviewed within R2 and in OLEM and OECA. R2 is also monitoring AES Puerto Rico's CCR public website to determine if it meets recordkeeping and posting requirements.

### Upcoming Major Decisions and Events

#### **Hoosick Falls Community Group Meeting**

On January 21, RA Lopez will attend a meeting of the Hoosick Falls community advisory group, focusing on PFAS contamination in the water supply and area soils.

#### **WOTUS II Event**

On January 23, RA Lopez will lead a press event in New York focusing on the agricultural sector. The planned venue is a vegetable farm near Syracuse, NY. Reps. Katko and Reed and the NY Business Council will be among those invited to participate.

#### **Patterson, NJ Historic Preservation Workshop**

On January 21, DRA Walter Mugdan and R2 staff will participate in this workshop to consider opportunities for preservation of contaminated buildings eligible for Superfund removal action (the Allied Textile Printers site). The National Park Service, Rep. Pascarell's office, NJDEP, county and city officials will be among the stakeholders participating.

**Meeting with St. Regis Mohawk Indian Tribe**

On January 22, RA Lopez and staff will meet with Chiefs of the SRMT and their environmental staff. Issues on the agenda include the GM and Grasse River Superfund sites.

## Region 3

### Hot Topics

#### **RA Signs Final Close-Out Report (FCOR) for First Piedmont Rock Quarry Superfund Site, Danville, VA**

On January 9, RA Servidio signed the Final Close-Out Report (FCOR) for the First Piedmont Rock Quarry Superfund Site. The FCOR documents that all Remedial Action Objectives (RAOs), performance standards, and clean up levels have been achieved. It also concludes that the selected remedy is protective of human health and the environment in the short-term and long-term. Signing the FCOR is the first step to propose the deletion of the First Piedmont Rock Quarry Superfund Site from the National Priorities List. It is anticipated that the site deletion will occur in FY 2020.

#### **Reuse Visioning Plan Completed for Hidden Lane Landfill NPL Site, Loudoun County, VA**

As EPA approached completion of remedial planning for the Hidden Lane Landfill NPL Site, Superfund Redevelopment Initiative (SRI) sponsored a reuse planning process to support Loudoun County, VADEQ, the property owner and the community to identify future use options for the site. This process included engaging key stakeholders and gathering input from community members through a series of public meetings and an online survey. Site conditions were analyzed to inform the future use of the Site. The plan contains a series of maps to identify the suitability of the Site for different types of redevelopment. The report will be placed on the Site website as well as the SRI website.

#### **Croda to Restart Ethylene Oxide Plant**

The Croda Atlas Point Plant in Delaware restarted its ethylene oxide plant on January 13. On November 25, 2018, this plant accidentally released an estimated 2,688 lbs of Ethylene oxide, prompting emergency response, including temporarily closing the Delaware Memorial Bridge and causing local residents to shelter in place. No injuries were reported. Croda has been working with Delaware's Department of Natural Resources and Environmental Control (DNREC) to investigate the incident and taking actions to ensure that the Ethylene oxide plant can be safely restarted.

#### **Approval and Promulgation of Air Quality Implementation Plans; District of Columbia**

In this final rulemaking notice (FRN), EPA is approving the District of Columbia's state implementation plan (SIP) revision to satisfy the nitrogen oxides (NO<sub>x</sub>) reasonably available control technology (RACT) requirements under the 2008 8-hour ozone national ambient air quality standard (2008 ozone NAAQS) and in an effort to clean-up its SIP, remove carbon monoxide (CO) emissions limits for combustion turbines that no longer exist in the District of Columbia.

#### **EPA, Delaware to Sign Pact to Expand Clean Water, Healthy Farms Activities**

On January 15, RA Servidio and Delaware Agriculture Secretary Michael T. Scuse signed a five-year, first-of-its-kind Memorandum of Understanding (MOU) to expand joint activities supporting the agencies' shared goal of cleaner water and stronger farms. The agreement will be signed at the conclusion of an Agriculture Roundtable with EPA and members of the agriculture community hosted by Secretary Scuse at the Delaware State Fairgrounds as part of Delaware Agriculture Week. EPA is developing similar MOU agreements with other states in the Mid-Atlantic region.

#### **R3 Smart Sectors Event with PGA of America, PGA Reach, and Local Golf Course Superintendents**

On January 9, the OCTEA Smart Sectors Program held an Outdoor Recreation Smart Sector focus forum roundtable at the Llanerch golf course in Havertown, PA. Parties present included representatives from Llanerch Country Club, Philadelphia Golf Course Superintendents Association, Pennsauken Country Club, Concord Country Club, Applecross Golf Club, PGA of America and its charitable arm PGA REACH, Golf Course Superintendents Association of America (GCSAA), EPA Office of Policy, and OCTEA's team. The purpose of this forum/roundtable was to allow each party to identify environmental issues and concerns and to open a channel of communication with R3 in alignment with the goal of the Smart Sectors Program. Among the primary issues identified by the parties were storm water management concerns relating to the quantity of water

on their courses caused by development in the upper parts of the watershed and lack of knowledge of permitting procedures should they want to improve streams due to “blow outs” from flooding. The forum concluded with several action items for follow-up collaboration between these parties and EPA R3 Smart Sectors Program

### **OCTEA Meets with Philadelphia School District on Healthy School Environments**

OCTEA’s Director/staff and OPA staff met with the Philadelphia School District Environmental Management Office Director and staff to discuss how EPA can assist the Philadelphia School District as they address environmental concerns in Philadelphia public schools. The School District is currently inundated with environmental concerns identified in several buildings (asbestos) that lead to temporary closing of those schools to address those concerns. The District wishes to develop: 1) a comprehensive strategy to resolve these issues; 2) a strategy for communicating their work to parents, teachers and community members; and 3) a healthy school approach to addressing concerns. OCTEA proposed that the R3 could provide technical assistance as the District develops recurring training, tools, messaging, work practices and sustainable strategies regarding Lead, Asbestos, PCBs and Integrated Pest Management. This assistance is an effort to assure that the schools are healthier for students, teachers and all other personnel.

### Upcoming Major Decisions and Events

RA Servidio has the following event scheduled:

January 24      Principals’ Staff Committee Meeting, Woodbridge, VA

Region 4

### Hot Topics

#### **GA CCR Approval**

The Coal Combustion Residuals Permit Program approval for the State of Georgia was published in the Federal Register on January 10 (effective date of February 10), making it the second state in the nation to receive program approval.

#### **Hillsborough-Polk Redesignation (FL)**

On January 14, a call with OAQPS on was held on response to adverse comments regarding final redesignation and maintenance plan for the Hillsborough-Polk SO<sub>2</sub> nonattainment area.

#### **Oak Ridge Reservation (TN)**

*EMWMP*: Focused Feasibility Study: On January 11, R4 provided HQ with calculated CWA effluent discharge values at the V-weir for the current landfill represented risk at the  $1 \times 10^{-5}$  risk concentration. Further discussion with HQ is ongoing.

*EMDF ROD*: EPA and TDEC approved the December 10 DOE request to extend the submission of the D1 ROD to June 17 to allow for the resolution of the FFS.

#### **NRDA**

The Alabama Trustee Implementation Group has approved its third Restoration Plan and Environmental Assessment to address natural resource injuries from the Deepwater Horizon oil spill. This restoration plan includes five projects to address lost recreational uses and two projects for the restoration of birds. The notice of availability of the restoration plan was published in the Federal Register on December 27.

#### **Yazoo Backwater Area**

On January 15, RA Walker met with the Army Corps of Engineers in Atlanta to hear the Corps present information about their proposed pump project. R4 modeling staff completed their expedited review of the Corps FESM model.

#### **KY Air Plan Approval**

RA Walker signed a final rule adopting the Cross-State Air Pollution Rule in KY that replaces two Federal Implementation Plans.

### Upcoming Major Decisions and Events

January 23 RA Walker will hold a press event with Commissioner Black of Georgia's Department of Agriculture. Other participants include the U.S. Corps of Engineers, GA EPD, and the GA Farm Bureau. Open Press. Newborn, GA.

## Region 5

### Hot Topics

#### **EPA Announces Completion of Amphenol Sewer and Soil Remedy in Franklin, IN**

EPA this week announced that Amphenol Corp. has completed a sewer line and soil remedy in the neighborhood south of the former Amphenol facility in Franklin, IN. This high-profile project is part of a larger cleanup required by EPA to address historical contamination originating from the former facility. Before 1983, solvents were released to a floor drain at the facility that spread through some of the sanitary sewer line in the adjacent neighborhood. The sewer work eliminated a potential migration pathway for VOC vapors to enter homes. The site has attracted the attention of media, politicians, and environmental and community groups.

#### **Michigan to evaluate ‘green ooze’ site for NPL**

EPA continues to work closely with Michigan Department of Environment, Great Lakes, and Energy (EGLE) to respond to the site, which continues to receive high interest from local media and elected officials. The EPS site burst on the scene December 20, when a bright green frozen liquid contaminated with hexavalent chromium began oozing from an embankment onto I-696 in Madison Heights, MI. EPA and EGLE have installed sumps, dug trenches, and plugged catch basins to capture the contaminated groundwater. PFOA/PFAS chemicals were also identified in the basement of the plating facility. Elevated VOC levels found near the site prompted EPA to begin a vapor intrusion investigation. EGLE will use EPA’s vapor intrusion results in the scoring for a preliminary assessment for a possible NPL listing. Gary Sayers, the owner of the property, this month began serving an 11-month federal prison sentence for illegally storing hazardous waste. In a civil trial this week, the city of Madison Heights is asking a judge to order Sayers to demolish the EPS buildings and pay for cleanup costs. On January 13, an EPA employee testified in the city’s lawsuit about the 2017 emergency removal. Two other properties owned by Sayers – a Sanilac County site north of Detroit, and a location in Detroit proper – are now being investigated by EGLE.

#### **Some University Park, IL, Water Samples Show High Lead Levels**

EPA, Illinois EPA and water supplier Aqua Illinois are working together to determine why some homes in University Park, IL, experience sporadic spikes of lead concentrations in their drinking water. Water supplier Aqua Illinois installed new corrosion controls and residents were encouraged to use tap filters last June when high lead levels were detected. The median lead concentration in University Park has been in the single digits since August, but in December a home showed a 5,300 ug/L lead level. Aqua said this sample was taken at a home where there had been a recent high-volume pipe flush. This is the highest concentration collected since sampling began in July 2019. Previous maximums included 3,900, 3,100, and 1,300. Possible explanations for the sporadic spikes in lead concentrations are low water usage and scale issues in some pipes. EPA’s review of the measures being taken in University Park concludes Aqua is effectively using orthophosphate treatment to reduce soluble lead.

#### **EPA determines Flint, MI, Now in Compliance with 2012 Stormwater Discharge Order**

On January 10, EPA terminated an administrative order issued to Flint over stormwater discharge violations. The order predated and is unrelated to the Flint drinking water crisis. The order issued in September 2012 – unrelated to the lead drinking water issue – cited Flint for violating terms of a NPDES permit limiting stormwater discharges from the city’s municipal separate storm sewer system. EPA first raised concerns about the issue after a 2011 inspection. The city recently completed several actions to satisfy terms of the order.

#### **PolyMet Minnesota Permits Reversed; R5 Declines Requests for Employee Testimony**

EPA declined to authorize testimony of current and former EPA employees testify in a state court hearing January 21, on issues involving the proposed PolyMet mine in northern Minnesota. In state court, petitioners are challenging the Minnesota Pollution Control Agency issuance of an NPDES permit for surface water discharges from the proposed copper mine. Various parties have requested several current and former EPA employees testify in the state court hearing. These parties have not been able to demonstrate that such testimony would be in the interest of EPA. Meanwhile, the Minnesota Court of Appeals this week reversed the Minnesota

Department of Natural Resources' decision to issue a mining permit and two dam safety permits for PolyMet's NorthMet copper mining project on the Iron Range. MDNR's decision whether to re-issue the permits must await a contested case hearing in which it considers evidence presented by the permit challengers, which include environmental groups and the Fond du Lac Band of Lake Superior Chippewa.

Upcoming Major Decisions and Events

- January 16 R5 will participate in a public meeting in Ann Arbor, MI, organized by Rep. Debbie Dingell to discuss the controversial Gelman site, which is a plume of 1,4-dioxane. Residents want more aggressive attention to the plume threatening local drinking water supplies. Communities from the local area have suggested interest in EPA taking over the lead on investigating and cleaning up the pollution under the Superfund program.
- January 18 Kurt Thiede assumes duties as Regional Administrator
- January 24 RA Thiede and USACE Major General Whittle lead a stakeholder roundtable in Cincinnati, OH.

**Region 6**Hot Topics**Denka Performance Elastomer, La Place, Louisiana**

On January 10, Denka submitted a comprehensive settlement counter offer to the government enforcement team to resolve Clean Air Act (CAA) violations discovered by NEIC at Denka's neoprene plant in La Place, LA. Denka's offer includes several injunctive relief measures to ensure long-term CAA compliance, Payment of a civil penalty (an increase from the company's previous offer), and continuation of Denka's fence line ambient air monitoring program through March 31, 2021 as a Supplemental Environmental Project (SEP) (contingent upon compatibility with current EPA and DOJ SEP policies). EPA continues to review the offer to determine the best path forward.

**Ethylene Oxide, Miscellaneous Organic Chemical Manufacturing Rule Public Hearing, Houston, Texas**

On January 14, EPA held a public hearing in Houston, TX, on proposed amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Miscellaneous Organic Chemical Manufacturing (MON) source category. EPA is proposing decisions concerning the residual risk and technology review, including proposing amendments pursuant to the technology review for equipment leaks and heat exchange systems, and proposing amendments pursuant to the risk review to specifically address ethylene oxide emissions from storage tanks, process vents, and equipment leaks. A second public hearing will be held on January 16 in Washington, D.C. EPA must receive comments on this proposed action no later than February 18.

**Compliance Evaluations for Oil and Gas Facilities, Permian Basin, Texas**

On November 26, 2019, R6 mailed letter to 32 companies observed to have potentially unauthorized emissions as identified by Optical Gas Imaging (OGI). As of January 14, EPA has received responses from 29 of those 32 companies. The companies were asked to take corrective action necessary to address any unauthorized hydrocarbon emissions. We will then determine if there have been violations of the CAA and evaluate enforcement options. Additionally, the Texas Commission of Environmental Quality (TCEQ) will be provided a list of unidentified facilities to continue enforcement efforts for the sites. The goal is to complete the enforcement assessment of the Texas Permian Basin facilities by February 2020. For the New Mexico facilities, we continue to provide support to New Mexico Environment Department as it prepares follow up actions.

**Fifth Ward/Kashmere Gardens, Houston, Texas**

On January 21, Congresswoman Sheila Jackson Lee will host a community meeting in the Fifth Ward-Houston about the Cancer Study associated with Union Pacific Railyard and has requested EPA participation. The Congresswoman sent a second letter to EPA Administrator Wheeler on December 23, 2019, requesting EPA conduct a Superfund preliminary assessment and site inspection (PA/SI). EPA's response continues to outline provisions that TCEQ has primacy and is adequately addressing conditions at the site under RCRA corrective action. R6 declined the Congresswoman's invitation since TCEQ has primacy for RCRA and is attending the community meeting.

**Reese Air Force Base, Lubbock County, Texas**

Centers for Disease Control and Prevention (CDC) and the Agency for Toxic Substances and Disease Registry (ATSDR) have publicly announced the launch of the PFAS exposure assessment in Lubbock County, TX, near former Reese Air Force Base (AFB). They are inviting community members in the area, especially those living near Reese Technology Center, to attend an information session on January 22 about the PFAS exposure assessment in Lubbock County. Scientists will provide information about ATSDR, the PFAS exposure assessment, the participant recruitment process, and upcoming PFAS testing.

**Mosaic Fertilizer Uncle Sam, Convent, Louisiana**

On January 6, discussions with Louisiana Department of Environmental Quality (LDEQ) and the company resumed. The plant is now up to full production of Phosphoric Acid (after a three-month shutdown) and has reduced process wastewater inventory but has not landed on a long-term solution for inventory reduction.

Mosaic submitted modifications for its CAA and Louisiana Pollutant Discharge Elimination System (LPDES) permits, but Louisiana has not yet acted on them. LDEQ informed Mosaic that this option is unlikely to be approved. There will be an additional conference with Mosaic officials to obtain details of the installation of a third Underground Injection Control (UIC) well. Mosaic has also scheduled another conference with LDEQ Secretary Chuck Carr Brown and details of that agenda have not yet been released. The Clean Water Act (CWA) permit modification is for operation of a Reverse Osmosis (RO) unit to treat process wastewater with discharge of permeate (potable quality water) to the Mississippi River. This option could be accommodated federally but would require a significant revision of the Louisiana rules, which is unlikely at this time.

#### **Los Alamos National Lab MS4, Los Alamos, New Mexico**

EPA has been informed that by January 16, Los Alamos County plans to file a challenge to the December 17, 2019 designation of Municipal Separate Storm Sewer Systems (MS4s) in Los Alamos Urban Cluster and on Los Alamos National Laboratory (LANL) property as needing National Pollutant Discharge Elimination System (NPDES) permits. An initial meeting with Los Alamos County, LANL, New Mexico Department of Transportation, Amigos Bravos (the petitioner for the designation), NMED, and EPA staff to begin planning "next steps" was scheduled for January 16 but was postponed until the scope and ramifications of the imminent legal challenge can be assessed.

#### Major Decisions and Events

#### **Oklahoma Department of Environmental Quality NPDES Authorization for Produced Water, Oklahoma**

EPA is preparing an approval of non-substantial revision to the Oklahoma Pollution Discharge Elimination System (OPDES). Oklahoma Department of Environmental Quality (ODEQ) submitted a Supplement to the OPDES program for produced water on November 2, 2019. The OPDES program was approved by EPA in 1996, authorizing ODEQ to implement CWA § 402(b) NPDES program within the State of Oklahoma. Because discharges from oil and gas exploration and production related industries and pipeline operations were at that time under the jurisdiction of the Oklahoma Corporation Commission (OCC) and not ODEQ, EPA retained NPDES authority over these discharges. As a result of state statutory change and jurisdictional Memorandum of Understanding (MOU) with OCC, ODEQ is now the agency in Oklahoma with authority to regulate oil and gas discharges. In addition, Texas is preparing to seek the same authorization for oil and gas discharge regulatory authority.

#### **ExxonMobil Baytown Chemical Plant, Baytown, Texas**

EPA is preparing a formal objection to the TCEQ proposed title V permit for the ExxonMobil Baytown Chemical Plant in Texas. The deadline for EPA to object is January 24. The objection is consistent with decisions regarding recent claims in petitions granted by the EPA Administrator. TCEQ will have 90 days from the date of objection to submit a revised permit that resolves all objections. If TCEQ does not resolve the objections, EPA can start a process specified by title V air permit regulations to take over issuance of a permit that complies with federal title V permit requirements.

#### **2008 Ozone Transport SIP, New Mexico**

R6 extended the comment period for the New Mexico 2008 ozone transport action to January 17. Final signature is expected by April 4.

#### **Louisiana SIP Revision for Withdrawal of Stage II Vapor Recovery Systems Requirements, Louisiana**

By January 21, EPA anticipates proposed approval to the Louisiana State Implementation Plan (SIP) revision to remove Stage II Gasoline Refueling Vapor Recovery Program. On May 30, 2019, EPA received a request from Louisiana to withdraw Stage II Vapor Recovery Systems requirements. An EPA rulemaking in May 2012 determined that onboard refueling vapor recovery systems were essentially equal to, and would soon surpass, the emission reductions achieved by Stage II system requirements. States implementing the program could now phase out the program.

**Exceptional Event Demonstration (2017 and 2018) PM<sub>10</sub>, El Paso County, Texas**

By January 27, EPA anticipates concurring on a TCEQ request that certain ambient air monitoring data be excluded from regulatory actions. The final demonstration submittal cover letter is dated November 11, 2019.

**Texas SIP Revisions to the New Source Review Program, Texas**

By January 30, EPA anticipates approval of the February 22, 2019, SIP submittal to update the New Source Review (NSR) applicable requirements located at 30 Texas Administrative Code (TAC) Chapter 116 in the Texas SIP was published in October 2019. The public comment period on the proposed approval ended on December 4, 2019. Four public comments were received and response to comments incorporated into the final approval of the Federal Register notice.

Upcoming Major Decisions and Events

- January 20 Texas Oil and Gas Association (TXOGA) produced water meeting, Austin, TX
- January 21 Cleaner Trucks Initiative announcement, Austin, TX
- January 22 Galveston State of the Bay Conference, Galveston, TX
- January 23 Rural Water Association Meeting & WOTUS announcement, Dallas, TX
- January 23 Anne Idsal Regional office visit, Dallas, TX
- January 27 U.S. Fish & Wildlife Service Regional office visit, Dallas, TX
- January 28 USACE Winter 2020 Resource Agency Meeting, Dallas, TX
- January 30 Texas Chemical Council (TCC) Air Conservation Committee meeting, Houston, TX

**Region 7**Hot Topics**West Lake Landfill Site Update**

R7, the state of Missouri, and the potentially responsible parties continue to make progress on site activities at the West Lake Landfill Superfund Site. R7, the PRPs, Missouri Department of Natural Resources, and the U.S. Army Corps of Engineers met January 15-16 to discuss the Preliminary Excavation Plan (PEP) and initiate conversations pertinent to the upcoming OU-1 30% Design submittal, such as the type of cover system, potential use of a starter berm, and management of stormwater, leachate, and contact water during and after construction of the remedy. EPA received the first draft of the OU-1 PEP from the responsible parties on January 8. This document was distributed to MDNR and EPA's geostatistical/modelling contractor for review. On January 10, the EPA and PRPs participated in a conference call to evaluate the most productive way to review and revise this complex technical document. RA Gulliford met with the site PRP on January 15 to discuss ongoing remedial design. A project meeting between EPA, the U.S. Geological Survey, MDNR, and the PRPs was held on December 17 to discuss the revised OU-3 RI/FS Workplan and associated documents. EPA is reviewing this submittal and will provide a technical comment letter to the PRPs with further direction. On December 15, EPA submitted comments to the PRPs on the revised OU-2 RD Workplan, Quality Assurance Project Plan, Field Sampling Plan, and Health and Safety Plan. A meeting between EPA and the OU-2 PRP and associated contractors is scheduled for January 28 to discuss these items.

**Grand Opening of Boys & Girls Club in Waterloo, Iowa**

A grand opening was held for the Boys & Girls Clubs of the Cedar Valley Teen & Educational Center, located on a former Brownfields site. The City completed the Phase I and II ESAs under FY16 Assessment grant, which included soil and groundwater sampling. The Phase II did not include RECs that exceeded statewide standards thus clearing the area for reuse. A small investment from R7 spurred an investment of a \$3 million project in an EJ Community.

**Region 7 Lead-Based Paint Enforcement News Release**

R7 published an enforcement news release on January 8 regarding a settlement reached with a real estate development company in Moline, Illinois, for alleged violations of the Lead Disclosure Rule in Davenport, Iowa. EPA has established the Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts. Enforcement matters such as this directly support the Action Plan.

Upcoming Major Decisions and Events**Region 7 Regional Tribal Operation Committee Meeting**

R7 will host the RTOC meeting on January 21-23 with representatives of all nine regional tribes. R7 staff will facilitate a Lean Six Sigma project on workplan negotiations on the first and second day. RA Gulliford will provide remarks on the third day of the conference followed by discussion of Regional Science Priorities and group meetings.

**Region 7 Visit to Nebraska Department of Environment & Energy on Water Quality Programs**

R7's Standards & Water Quality Branch will be traveling to Lincoln, NE, to meet with NDEE staff on water quality programs. Discussions between the state and EPA will include Integrated Report Status for NE 2020 303(d) list and ATTAINS and WQX support, Water Quality Standards Triennial Review; and Total Maximum Daily Loads.

**Region 8**Hot Topics**Draft Municipal Separate Storm Sewer General Permits**

Interim objections are under consideration for two Draft Municipal Separate Storm Sewer General Permits proposed by the Utah Division of Water Quality (UDWQ) in December 2019. The State relaxed requirements for retention of rainfall. R8 is working with the Office of Water regarding requirements for the permits and additional information needed from the state to determine if the changes in the permits are supported by the record. The interim objection would request additional information to justify the relaxation of requirements.

**Notice of Violation Issued to Marathon Oil**

An NOV has been issued to Marathon Oil for alleged violations arising under the CAA on the Fort Berthold Indian Reservation in North Dakota at several of Marathon's oil and natural gas well production facilities. The NOV alleges violations of the Federal Implementation Plan for Oil and Natural Gas Well Production Facilities. The cover letter of the NOV provides Marathon an opportunity to confer with EPA regarding these alleged violations.

**Region 8 Requests DOJ to File Proof of Claim in EP Energy Bankruptcy Proceedings**

R8 is seeking the assistance of DOJ in filing a proof of claim in the Chapter 11 bankruptcy case of EP Energy E&P Company, L.P. in the United States Bankruptcy Court for the Southern District of Texas, Houston Division. In its referral report, EPA outlines alleged violations of the New Source Performance Standards for crude oil and natural gas facilities and of federally-enforceable permit requirements. Facilities with alleged violations are located in an ozone nonattainment area both within and outside of the boundaries of the Uintah and Ouray Indian Reservation. Inspections outside of Indian Country were conducted with the Utah Division of Air Quality. The bar date for filing the EPA's proof of claim in the bankruptcy proceeding is March 31.

Upcoming Major Decisions and Events

- January 23 RA Sopkin will conduct a Waters of the US (WOTUS) event in Colorado Springs, CO, as part of the national rollout. This event will be supported by Congressman Lamborn, Colorado Springs Mayor Suthers and City Chamber of Commerce, the local Home Builders Association, and the Army Corps of Engineers. Additionally, the Colorado State Agriculture Secretary is invited to attend. Media will be present.
- January 23 Staff from R8 and NEIC will participate in the first ever Future Farmers of Colorado Federal Center Career Day. 75 Future Farmer of America (FFA) students from four schools in Colorado will participate in this half day event. This event is a direct result of the EPA/FFA MOU signed in February 2019. EPA, NRCS, and Bureau of Reclamation will present information about their mission and career fields within their respective agencies.
- January 24 RA Sopkin will be a panel member at the third annual Western Energy & Water Forum (Steamboat Springs, CO) presented by the Duke University Energy Initiative and the Colorado Energy & Water Institute. The presentation topic is "Managing Policy Volatility at the Federal Level." The other panelist is Shawn Bennett, Deputy Secretary for Oil & Natural Gas, U.S. Department of Energy.

**Region 9**Hot Topics**Navajo Nation Abandoned Uranium Mines**

R9 Superfund managers met with Navajo Nation EPA to discuss progress on removal site evaluations currently under way on 13 mine sites in the western part of the Nation and final plans for the next 17 mines to be evaluated. They also discussed community engagement and financial reporting. This was one in a series of quarterly meetings with NN EPA to ensure we communicate regularly on all aspects of abandoned mine cleanups.

**Settlement with Torrance Refining Company on Risk Management Violations**

R9 entered into a Consent Agreement and Final Order with Torrance Refining Company for violations of the Risk Management Program regulations under Clean Air Act 112(r) at its Los Angeles-area refinery. The settlement includes \$125,000 in civil penalties and installation of additional safety systems for the facility's modified hydrofluoric (HF) acid alkylation unit. The use of modified HF at the refinery has been a concern in the surrounding community since a fire in 2015, and we expect the new safety system to provide significant public health protection.

Upcoming Major Decisions and Events**WOTUS Announcement**

RA Stoker will make the WOTUS announcement in the Phoenix area on Wednesday with Rep. Paul Gosar. Other participants include officials from the Army Corps and Arizona DEQ.

**California Utility Collaboration**

DRA Deborah Jordan will participate in a tour of Southern California Edison's Emergency Operations Center and discuss with Edison its approach to "public safety power shutoffs" during wildfire threats. She will begin a collaboration aimed at a shared understanding of critical drinking-water and wastewater infrastructure and prioritizing resources and grid improvements for tribal systems.

**Clean Air Act SIP Actions**

We plan to issue two final actions within the next week: conditional approval of a Maricopa County (AZ) SIP submittal meeting a portion of the Reasonably Available Control Technology (RACT) requirements for the 2008 ozone standard and full approval of Mojave Desert (CA) air district rules comprising its RACT SIP.

**Hawaii Water Funding Forum**

R9 water division will host a funding forum in Honolulu to build local capacity in competing for water infrastructure and program funding. Participants include State, federal, and private funding agencies and a wide range of Hawaii agencies and groups seeking water funding. We will also meet with the City and County of Honolulu to discuss their funding needs.

## Region 10

### Hot Topics

None to report this week.

### Upcoming Major Decisions and Events

- January 23                    **WOTUS Final Rule Amplification Event with Idaho Congressman Simpson**  
RA Hladick will participate in R10's WOTUS final rule event in Idaho Falls with Congressman Simpson, senior regional representatives from the U.S. Army Corps of Engineers and other stakeholders. This event is part of the national announcement of the final WOTUS replacement rule.
- January 20                    **Region 10 Issues Draft NPDES Permit for Idaho Wastewater Treatment Plant**  
During the week of January 20, R10 expects to issue a public notice for the draft NPDES permit for the City of Winchester, Idaho's waste water treatment plant. EPA will offer government-to-government consultation to the Nez Perce Tribe concurrent with the public notice. No input was received from the Nez Perce Tribe during preliminary review of the draft permit.
- January 28                    **RA Participates in Oregon Performance Partnership Agreement Kickoff Meeting**  
RA Hladick will join Oregon Department of Environmental Quality leadership in a meeting to launch the 2020 Performance Partnership Agreement development process.
- January 27 to 29            **Affiliated Tribes of Northwest Indians Meeting in Portland, Oregon**  
The Affiliated Tribes of Northwest Indians will meet in Portland, Oregon. R10's Senior Tribal Policy Advisor will attend and represent EPA Region at a number of sessions that directly intersect with regional and agency priorities.

## Office of Air and Radiation

### Hot Topics

#### **Packages for Signature**

- Stationary Combustion Turbines RTR (Final Rule)
- Asphalt RTR (Final Rule)
- Revisions to Appendix P to 40 CFR Part 51, Concerning Minimum Emission Reporting Requirements in SIPs (Proposed Rule)

#### **Packages at OMB for Review**

- Vehicle Test Procedure Adjustments for Tier 3 Test Fuel (Proposed Rule: RECEIVED DATE February 25, 2019)
- Light Duty Greenhouse Gas Program Technical Amendments (Final Rule: RECEIVED DATE August 1, 2019)
- MATS RTR & Cost Review (Final Rule: RECEIVED DATE October 4, 2019)
- Strat Ozone - Section 608 Refrigerant Management – Revisions (Final Rule: RECEIVED DATE October 4, 2019)
- SAFE (Final Rule: RECEIVED January 14)

#### **Packages Heading to OMB Soon**

- Residential Wood Heaters NSPS Amendments (Final Rule)
- Boiler MACT (Proposed Rule)
- MATS Coal Refuse-Fired Units Review (Final Rule)
- Fuels Regulatory Streamlining (Proposed Rule)

### Upcoming Major Decisions and Events

#### **Texas Public Policy Foundation Policy Orientation 2020**

On January 24, Acting Assistant Administrator Idsal will speak at the Texas Public Policy Foundation Policy Orientation in a panel event titled “Restoring the Rule of Law with the EPA’s Affordable Clean Energy Rule.” Other speakers on the panel include TPPF moderator Robert Henneke, Michael Nasi, and Derrick Hollie. The event will be open press.

#### **Webinar on Miscellaneous Organic Chemical Manufacturing National Emission Standards**

On January 21, EPA will hold a webinar for communities and tribes on the Miscellaneous Organic Chemical Manufacturing National Emission Standards for Hazardous Air Pollutants (MON) Proposed RTR. The webinar will provide an overview of the proposed action, which proposes to amend the 2003 rule and will be the first regulatory action we have taken to address ethylene oxide emissions under our two-pronged approach to reduce such emissions. EPA commonly hosts informational webinars of this nature to walk through the components of proposed regulations of interest to tribes and communities. This webinar is informational only and is not a public hearing. EPA held two public hearings on the proposed rule on January 14 in Houston and January 16 in Washington D.C.

## Office of Chemical Safety and Pollution Prevention

### Hot Topics

#### **Carbon Tetrachloride (Carbon Tet) Risk Evaluation (RE)**

Next week OPPT will release the draft RE for carbon tetrachloride. OPPT will seek public input on the evaluation, covering 15 conditions of use, including agricultural products manufacturing, manufacturing of chlorinated compounds, and more. Carbon tet is the seventh of the first 10 chemicals to undergo RE under amended TSCA. The public will have 60 days to provide comment. A peer review meeting of EPA's Science Advisory Committee on Chemicals (SACC) on the draft risk evaluation will be held February 25 and 26.

#### **Glyphosate Herbicide and Neonicotinoid Insecticides**

The week of January 27, OPP plans to publish an interim decision for the registration review of glyphosate and a preliminary interim decision (PID) for neonicotinoids. Glyphosate poses no risks of concern for human health, but potential risks of concern for birds, mammals, and non-target plants. The neonicotinoids PID will be accompanied by the most comprehensive pollinator assessment EPA has conducted to date, as these insecticides can adversely impact hives. OCSPP and OPA are developing communication materials.

### Upcoming Major Decisions and Events

#### **Preliminary List of Manufacturers and Importers Subject to Risk Evaluation Fees**

Under the TSCA Fees Rule, businesses manufacturing or importing chemicals undergoing TSCA §6 RE must pay the fee associated with EPA-initiated REs. Following the December action [ [HYPERLINK "https://www.epa.gov/newsreleases/epa-finalizes-list-next-20-chemicals-undergo-risk-evaluation-under-tsca"](https://www.epa.gov/newsreleases/epa-finalizes-list-next-20-chemicals-undergo-risk-evaluation-under-tsca) ] and a December webinar, the preliminary list of manufacturers and importers of these chemicals will soon publish. Listed firms must report to EPA during the 60-day comment period whether they are still manufacturing and/or importing these chemicals. They can also certify as a "small business concern" for a reduced fee or other certification to avoid the fee. OCSPP expects to publish the final list in June.

#### **Long Chain Per- and Polyfluoroalkyl Substances (PFAS) Significant New Use Rule (SNUR)**

As part of the EPA PFAS Action Plan, OPPT will soon propose stronger regulations on imported products containing certain persistent long-chain PFAS chemicals. The draft proposal would require EPA review of imported products containing certain PFAS substances and give EPA authority to prohibit import of products containing these PFAS chemicals or impose restrictions to protect public health before they could be imported and sold. This supplements a previous proposal by clarifying covered categories of products (furniture, automobile parts, etc.), and further aligns the proposal with the Lautenberg amendments.

#### **Louisiana Chemical Association (LCA) and Louisiana Chemical Industry Alliance (LCIA)**

AA Dunn will address the LCA and the LCIA Board of Directors on current environmental policy issues impacting the industry during their January 22 Washington, D.C. fly-in meeting.

#### **New Products to Fight Dangerous Fungal Infections**

The week of January 27, in coordination with the Centers for Disease Control, OPP will announce availability of the first 10 products registered to fight *c. auris*, an emerging fungal pathogen causing serious and sometimes fatal fungal infections, especially in hospitalized patients, that can be resistant to antifungal drugs.

#### **New Use Registration for Invora Herbicide**

OPP plans in late January to register a new use of Invora, which contains aminocyclopyrachlor and triclopyr. The proposed use includes rangeland control of woody shrubs in Arizona, New Mexico, Oklahoma, and Texas. The Pesticide Registration Improvement Extension Act review period was renegotiated to February 3 so that OPP and stakeholders can address risk issues with off-target damage in broadleaf plants and woody species.

**Selected One-Month Look-Ahead**

January Chlorine gas PID  
Early February TRI National Analysis

**Office of the Chief Financial Officer**

Hot Topics

**FY 2020 Operating Plan**

The agency’s FY 2020 Operating Plan is due to Congress on February 10. OCFO briefed the Associate Deputy Administrator on January 13 and the Administrator on January 15 on approach for payroll, FTE levels, and non-payroll funding levels that will be included in the plan.

**FY 2021 President’s Budget**

The federal government’s FY 2021 President’s Budget request will be submitted to Congress on February 10, at which time EPA’s FY 2021 Congressional Justification will be made available to the public. OB is working with the agency to develop the FY 2021 Congressional Justification and supplemental materials.

**FY 2019 Annual Performance Report**

OMB plans to complete its review of EPA’s draft FY 2019 Annual Performance Report, including draft targets for FY 2021 annual performance goals, this week. OCFO will facilitate response to comments with programs to gain OMB clearance. OCFO also is preparing the Administrator’s statement for signature by January 30, supporting the reliability and completeness of performance data in the FY 2019 APR, which is issued as part of EPA’s FY 2021 Congressional Justification on February 10.

**GAO and OIG Audits and Activities**

New agency entrance conferences since the last weekly report:

GAO Audits – Week Ending 1/10/2020				
Audit Type	Title	Office	Engagement/ Report No.	Next Steps/Comments
Entrance Conference	National Mall 4 <sup>th</sup> of July Expenditures	OMS/OCFO/AO	Engagement Code 103687	Entrance Conference scheduled for 1/15/20

OIG Audits – Week Ending 1/10/2020					
Audit #	Title	Status	Office	Date	Next Steps/Comments
None.					

Upcoming Major Decisions and Events

**FY 2020 Quarter 1 Quarterly Performance Review**

The Administrator will convene his FY 2020 Quarter 1 Quarterly Performance Review on February 12. OCFO will issue guidance this week that describes a new approach for tailoring the QPR agenda topics for discussion with the Administrator. OCFO and OCI will review agency submissions on Q1 performance and A3s and provide advice for Assistant Deputy Administrator and Acting CFO decision on selected topics for the QPR agenda.

**Foundations for Evidence-Based Policy Making Act**

Late last week, OCFO, with input from Evidence Act Workgroup, provided for the Assistant DA’s review a draft policy memorandum to agency leadership for issuance soon. This memorandum will introduce agency senior leaders to the *Foundations for Evidence-Based Policy Making Act*, why it matters to EPA, and key deliverables due in FY 2020.

**FY 2020-2021 National Program Guidances**

The Acting CFO will be distributing an e-mail concerning draft FY 2020 Addendums to FY 2020-2021 National Program Guidances, which will be due to OCFO in mid-February.

**FY 2020 Strategic Reviews and Internal Controls**

By the end of January, the Acting CFO anticipates issuing an agency guidance memorandum regarding FY 2020 strategic reviews and internal controls.

**Office of Congressional and Intergovernmental Relations**

Hot Topics

Nothing to report.

Upcoming Major Decisions and Events

- Week of January 20      Mayor Regina Romero requested a discussion with EPA Office of Groundwater and Drinking Water staff on the Agency's PFAS Action Plan while attending US Conference of Mayors Winter Mtg
- January 22-24          U.S. Conference of Mayors will host its 88th Annual Winter Meeting in Washington, D.C. Mayor Bryan K. Barnett (Rochester Hills, MI) will preside as over 200 member mayors convene for numbers of Best Practice Forums, Task Force meetings, and plenary sessions.
- January 23              Rep. Zeldin (NY) staff and constituent call on pesticide production complaint with OCSPP.
- January 27 (t)          Postponed from September 2019. Follow up briefing for Senate Foreign Relations/Environment and Public Works Committee staff on Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal.

**Office of Enforcement and Compliance Assurance**Hot Topics**DC-Based Property Developer and Company Sentenced for Crimes Related to Lead-Based Paint**

On January 15, Mohammed Sikder was sentenced in the District of Columbia to 60 days of incarceration, 24 months of supervised release, a \$50,000 fine, and 300 hours of community service. District Properties was sentenced to two years of probation and a \$150,000 fine. Sikder pleaded guilty to two counts of violating the Toxic Substances Control Act for his role in renovating a Washington, D.C., property without following lead-safe work practices and lead disclosure requirements. Sikder's solely held company, District Properties LLC, also pleaded guilty to making false statements in 25 building permit applications to the District of Columbia Department of Consumer and Regulatory Affairs (DCRA). These applications understated the age of the homes being renovated, with the intent to avoid regulatory scrutiny of inadequate lead-based paint safety measures at those properties. Under the Renovation, Repair, and Painting Rule, contractors performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities, and schools built before 1978 must be certified and must follow specific work practices to prevent lead contamination.

**Bottler Pleads Guilty to Storing and Transporting Hazardous Wastewater Contaminated with Arsenic**

On January 9, the company that produces "Crystal Geyser Natural Alpine Spring Water" pleaded guilty in the Central District of California to federal charges of illegally storing and transporting hazardous waste created from filtering arsenic out of spring water at its facility in Olancho, CA. CG Roxane, LLC pleaded guilty to one count of unlawful storage of hazardous waste and one count of unlawful transportation of hazardous material. CG Roxane has agreed to pay a criminal fine of \$5 million

**FedCenter Board Quarterly Meeting**

On January 16, OECA's Federal Facilities Enforcement Office sponsored a quarterly meeting of the FedCenter Board, including representatives from DVA, DHS, NASA, NIH, DOE, TVA and USPS. FedCenter is the online environmental compliance assistance and stewardship center providing comprehensive environmental information for all federal government agencies.

Upcoming Major Decisions and Events**NPDES Electronic Reporting Rule**

Following the Administrator's signature, we anticipate publication this month in the Federal Register of the Notice of Proposed Rulemaking for the NPDES Electronic Reporting Rule – Phase 2 Extension, which will extend the deadline for implementation of Phase 2 of the 2015 NPDES Electronic Reporting Rule by three years and provide states with the ability to request up to three additional years subject to EPA review and approval.

**Office of General Counsel**

Hot Topics

*Bahr, et al. v. Wheeler*, No. 20-70092 (9th Cir. Jan. 9)

New Litigation: Sandra J. Bahr, Jeanne Lunn, and David Matusow filed a petition for review of R9's Determination of Attainment by the Attainment Date for the 2008 Ozone NAAQS for Phoenix-Mesa, Arizona, 84 Fed. Reg. 60920 (Nov. 12, 2019). R9's determination that the Phoenix moderate nonattainment area attained the 2008 ozone NAAQS by the attainment date prevented the area from being bumped up to a serious nonattainment area, as a matter of law. The determination relied, in part, on R9's concurrences with state demonstrations that certain monitored exceedances of the 2008 ozone NAAQS were caused by exceptional events, specifically wildfires. Although petitioners may raise other issues in their brief, because the comments focus on the exceptional events demonstrations, we expect that to be the primary focus of their challenge.

Upcoming Events

**Oral Argument, Thursday, January 16**

*Maryland v. EPA*, No. 18-1285 (and consolidated cases) (D.C. Cir.). Several consolidated petitions for review were filed challenging EPA's denial of four section 126(b) petitions from Delaware and one petition from Maryland. Under CAA Section 126(b), any state may petition EPA for a finding that a specific source, or group of sources, emits or would emit in violation of the Good Neighbor Provision (CAA section 110(a)(2)(D)(i)(I)) in another state. If EPA grants the requested finding, then the named source(s) is either statutorily required under section 126(c) to shut down within three months of the finding or comply with EPA-issued emission limits designed to bring the source(s) in compliance with the Good Neighbor Provision no later than three years of the finding.

**Office of International and Tribal Affairs**Hot Topics**U.S.-Mexico-Canada Trade Agreement (USMCA)**

The new trade agreement between the U.S., Mexico and Canada has been passed by the House and awaits approval in the Senate. EPA will play a significant role in implementing the environment-related elements of the trade agreement and the side agreement, Environmental Cooperation Agreement (ECA), and OITA will lead the Agency efforts. The Environment Chapter of the USMCA includes obligations to achieve high levels of environmental protection and strive to improve laws and regulations, effectively enforce environmental laws and regulations, not waive or derogate environmental laws to attract trade and investment, adopt and implement measures to fulfill certain MEAs (e.g., Montreal Protocol, MARPOL and RAMSAR), and provide procedural guarantees and access to remedies with respect to enforcement actions under domestic environmental laws. The ECA will retain the core elements of the existing Commission for Environmental Cooperation (CEC) and provides a platform for trilateral cooperation in areas such as environmental governance, pollution, biological diversity and sustainable management of natural resources.

**Meeting with Israeli Ministry of Environment on Water Reuse**

Following up on the Administrator's mission to Israel, OITA and OW met with the Israeli Ministry of Environmental Protection on water reuse, which is one of the areas of cooperation under the EPA-Israel MOU. Activities discussed included finalizing the Israel/EPA Action Framework within the National Water Reuse Action Plan that will be launched in February and planning for potential Israeli workshops at the annual Water Reuse Symposium in Denver in September. EPA also plans to lead a group of U.S. practitioners on a technical mission to Israel in May to visit innovative water reuse sites and organizations to increase water reuse knowledge and opportunities in the US agriculture, utility and industry sectors.

**GAP Guidance Consultation - Phase One Close Out**

In June 2018, EPA initiated a tribal consultation requesting input from tribes on how to revise the 2013 Indian Environmental General Assistance Program (GAP) Guidance and its implementation. The GAP Guidance provides a nationally consistent capacity development framework for EPA and GAP recipients to follow. OITA/AIEO received over 800 comments from tribes, partnership groups, and tribal consortia which provided a range of perspectives and ideas to improve the GAP Guidance and its implementation. On January 14 we closed the first phase of the consultation process with letters sent to each tribe who provided written comments. The next milestone will be when EPA releases a draft revised GAP Guidance for tribal consultation, anticipated this fiscal year, to obtain specific input from tribes on the proposed GAP Guidance changes.

Upcoming Major Decisions and Events

- |            |  |
|------------|--|
| January 16 | AA McIntosh will meet with the U.K. Department of Environment, Food and Rural Affairs to discuss the upcoming G7 and G20 environmental meetings in 2020.               |
| January 21 | OITA will meet with the Canadian Embassy to discuss environmental issues with Canada, including ballast water regulation and transboundary pollution from B.C. mining. |

## Office of the Land and Emergency Management

### Hot Topics

#### **Coal Combustion Residuals (CCR).**

- CCR Phase 2 proposed rule (package 1) – On October 15, 2019, the public comment period ended; OLEM is reviewing the comments.
- CCR permitting NPRM (package 3) – This was signed and announced on December 19; we are awaiting a publication date from the Office of the Federal Register.
- CCR litigation packages (package 2, parts A and B) – On December 2, the Part A NPRM package was published in the FR; the 60-day public comment period ends on January 31. OLEM, in coordination with the Office of Water, denied a request to extend the comment period to 120 days for the CCR Part A and ELG rules. Part B is with OMB for expedited review; we anticipate comments back early next week.
- The final decision for the Georgia CCR permitting program was published in the FR on January 10, with an effective date of February 10.

#### **Aerosol Cans Final Rule**

The final rule will be effective on February 7.

#### **Ongoing Major Superfund NPL Sites**

We are working with R1 on the Housatonic River; R2 on Woodbrook Road and Rolling Knolls; R4 on Oak Ridge, Birmingham 35<sup>th</sup> Ave., and Petroleum Products Corporation; R8 on Anaconda Smelter; and R10 on Portland Harbor, Quendall Terminal, and Bradford Island.

#### **CERCLA 108(b) Financial Assurance (next three sectors)**

On December 4, the Industry 2 (Petroleum and Coal) rule package was signed by the court-ordered deadline. The rule was published in the Federal Register on December 23, and the public comment period ends on February 21. OLEM is working with OMB to address comments on the Industry 3 (Chemical Manufacturing) NPRM package. We anticipate OMB concluding its review soon.

#### **PFAS Designation of PFOA/PFOS as CERCLA Hazardous Substances NPRM**

The rule package was submitted to the Office of Policy on September 20 for OMB review.

### Upcoming Major Decisions and Events

- |            |   |
|------------|---|
| January 16 | OLEM will hold its monthly business review meeting.   |
| January 22 | AA Wright will participate in a session on recycling at the U.S. Conference of Mayors Environment Committee meeting |

## Office of Mission Support

### Hot Topics

#### **HQ Conference Center Update**

EPA completed and reviewed the HQ Conference Center construction documents. The construction schedule will be provided to EPA no later than February 6. GSA anticipates the Construction Quality Management contract will be awarded later this month.

#### **Office 365 Advanced Threat Protection (ATP) Safe Attachments Implementation**

The protection of sensitive data is important for the agency, its systems, and employees. To better protect agency systems, the Office of Mission Support is implementing ATP Safe Attachments beginning the evening of January 17. ATP Safe Attachments will safeguard our messaging system by checking email attachments for malicious content. Attachments with malicious content will be deleted and inaccessible. If no malicious content is found, the attachment will be forwarded to the mailbox within seconds.

#### **Critical Vulnerabilities Patching – Updating All Agency Systems**

On January 14, Microsoft released updates that fix critical vulnerabilities that have a high probability of exploitation. To ensure EPA's Windows 10 and Windows Server 2016 operating systems are not impacted by those vulnerabilities, updates are being tested and deployed as quickly as possible. Patching began on January 15 and must be completed by close of business on January 29. As of 9:00 a.m., January 16, patching was 48% complete.

### Upcoming Major Decisions and Events

#### **MSDD In-person Meeting**

Donna Vizian, Wesley Carpenter, and Vaughn Noga, along with several OMS and OCFO senior leaders, will travel to Region 6 for the in-person MSDD Meeting on January 22-23. The meeting will include strategic discussions on hiring, onboarding, mission support budget, and more.

#### **Dr. Martin Luther King, Jr. Day Event**

The Office of Mission Support will host an event to honor Dr. Martin Luther King, Jr.'s life and legacy from 11:00–12:00 on January 21 in the EPA Green Room. The 2020 theme is "Dr. King's Legacy of Inclusivity and the Impact on Today's Generation." The keynote speaker will be Tinisha Agramonte, Director of the Office of Civil Rights at the U.S. Department of Commerce. Live streaming will be available via EPA tv through Internet Explorer while on the EPA network, but cannot be accessed remotely. Sign Language Interpreters will be present at the event. Employees needing reasonable accommodations should contact Kristin Tropp at 202-559-0006 or [ HYPERLINK "mailto:troop.kristin@epa.gov" ].

**Office of Policy**Hot Topics**Environmental Justice Grant Availability**

On January 23, the Office of Environmental Justice will host a public teleconference to address questions from prospective applicants about grant funding currently available under the EJ Collaborative Problem Solving Program.

<b>Active Interagency Reviews from OMB</b>		
<b>Subject</b>		<b>OMB Due Date</b>
HUD NPRM: Acceptance of Private Flood Insurance for FHA-Insured Mortgages		01/21/2020
HUD NPRM: Streamlining and Implementation of Economic Growth, Regulatory Relief, and Consumer Protection Act Changes to Family Self-Sufficiency (FSS) Program		01/27/2020
HHS/CDC PRA/ICR: Human health effects of drinking water exposures to per- and polyfluoroalkyl substances (PFAS): A Multi-site Cross-sectional Study		01/27/2020
HUD NPRM: Economic Growth Regulatory Relief and Consumer Protection Act: Implementation of National Standards for the Physical Inspection of Real Estate (NSPIRE)		01/31/2020
DoD/ACE NPRM (Pass-back): Natural Disaster Procedures: Preparedness, Response, and Recovery Activities of the Corps of Engineers		N/A
<b>Documents Sent to the OFR from January 9 -15, 2020</b>		
<b>FRL #</b>	<b>Title</b>	<b>Date Sent to FR</b>
10002-88-OCSP	Extension of Time-Limited Tolerances for Emergency Exemptions (Multiple Chemicals, Various Commodities)	01-15-2020
10003-19-OCSP	Pesticide Product Registration; Receipt of Applications for New Uses (November 2019)	01-15-2020
10004-09-Region 3	Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Infrastructure Requirements for the 2015 Ozone National Ambient Air Quality Standard	01-15-2020
10004-35-ORD	Human Studies Review Board; Notification of Public Meetings	01-15-2020
10004-47-OAR	Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2018	01-15-2020
10004-49-Region 10	Air Plan Approval; ID; 2015 Ozone NAAQS Interstate Transport Requirements	01-15-2020
10004-29-Region 10	Air Plan Approval; OR; Updates to Emission Standard Definitions	01-14-2020
10004-37-Region 2	Approval and Promulgation of Implementation Plans; New Jersey; Negative Declaration	01-14-2020
10003-85-Region 10	Air Plan Approval; Washington; Update to the Adoption by Reference, Energy Facility Site Evaluation Council	01-10-2020
10003-90-Region 8	Approval and Promulgation of Air Quality Implementation Plans; Utah; Regional Haze State and Federal Implementation Plans	01-10-2020
10003-99-Region 9	Approval of Air Quality Implementation Plans; California; Coachella Valley; 2008 8-Hour Ozone Nonattainment Area Requirements	01-10-2020
10004-16-OAR	Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine Standards	01-10-2020

10004-21-Region 5	Air Plan Approval; Illinois; Emissions Statement Rule Certification for the 2015 Ozone Standard	01-10-2020
10004-15-Region 7	Air Plan Approval; Missouri; Sampling Methods for Air Pollution Sources	01-10-2020
10004-17-OECA	Access by United States Environmental Protection Agency (EPA) Subcontractor to Information Claimed as Confidential Business Information (CBI) Submitted under Clean Air Act (CAA), Title I, Programs and Activities Air, and Title II Emission Standards for Moving Sources, and Act to Prevent Pollution from Ships (APPS)	01-10-2020
10004-18-OAR	Information Collection Request; Comment Request; Air Pollution Regulations for Outer Continental Shelf (OCS) Activities	01-10-2020
10004-13-Region 7	Air Plan Approval; Missouri; Construction Permits By Rule	01-10-2020
10004-20-Region 5	Air Plan Approval; Illinois; Emissions Statement Rule Certification for the 2015 Ozone Standard	01-10-2020
10003-79-OAR	Renewable Fuel Standard Program: Standards for 2020, Biomass-Based Diesel Volumes for 2021, and Other Changes	01-09-2020

## Office of Research and Development

### Hot Topics

#### **Six National Research Programs**

Next week, at the request of House Science, ORD will provide an overview of our six national research programs to bipartisan staff of the Committee.

### Upcoming Major Decisions and Events

#### **Technical Support in the Southeast Missouri Lead Mining District**

Quarry aggregates used for paving new or existing driveways and parking areas may contain galena mineral crystals and have the potential to re-contaminate properties with lead that were previously remediated under [ HYPERLINK "https://www.epa.gov/laws-regulations/summary-comprehensive-environmental-response-compensation-and-liability-act" \t "\_blank" ] or superfund. On January 13, ORD met with R7 Superfund and Emergency Management Division (SEMD) RPMs to discuss technical support options for a potential lead contamination issue in the southeast Missouri lead mining district. R7 is seeking statistically defensible sampling information to 1) provide to quarry operators to assist in the prevention of re-contamination of properties and 2) assist R7 SEMD RPMs with potentially identifying the source attribution of any lead-contaminated quarry aggregate materials in the future for potential enforcement actions.

#### ***Small Business Innovation Research (SBIR)***

On January 16, R9 RA Mike Stoker will tour the Intellisense Systems facility in Torrance, CA. Using funds from an ORD Phase I Small Business Innovation Research (SBIR) grant, Intellisense has created a Remote Air Quality Reporting (RAQR) Device. The prototype demonstrates the feasibility of a remote, low-power, low-cost device capable of monitoring and reporting air quality data and alerts in near real-time.

#### **EcoTox Target Challenge Announcement, January 16**

ORD is launching the EcoTox TARGET Challenge to look for new technologies to screen chemicals for potential ecological hazards. The [ HYPERLINK "https://www.epa.gov/innovation/ecotox-target-challenge" ] aims to address the ecological gap in EPA's high throughput screening program by developing high quality and low-cost technologies for measuring global gene expression in samples from four listed ecological species representing fish, invertebrates, plants, and algae. A \$300,000 prize will be awarded to the respondent that develops the best performing assay platform at the lowest cost.

#### **ORD Visits to R2**

On January 27, Jennifer Orme-Zavaleta will visit R2 to meet Regional Senior Leadership. She will also meet with the R2 RSL, STL and LSASD Director. On January 28, Fred Hauchman, ORD National Program Manager, will visit R2, and on January 29, ORD's Jay Benforado will visit R2 and present to their Science Council on Ideation and Innovation and the Regional/State/Tribal Innovations Program.

**Office of Water**

Hot Topics

Nothing to report.

Upcoming Major Decisions and Events

Nothing to report.